UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

DANYELL THOMAS, RASHAUN F. FRAZER, ANDRAE WHALEY, ELENI MIGLIS, CHERYL A. STRYCHARZ, and DANIELLE BROWN, individually and on behalf of all other employees similarly situated,

Case No. 16-cv-08160 (PAE)

Plaintiffs,

-against-

NOTICE OF APPEAL

BED BATH AND BEYOND, INC.,

Defendant.

PLEASE TAKE NOTICE that Plaintiffs Danyell Thomas, Rashaun F. Frazer, Andrae Whaley, Eleni Miglis, Cheryl A. Strycharz, Danielle Brown, individually and on behalf of all other employees similarly situated, along with those other individuals who have filed consent-to-join forms pursuant to 29 U.S.C. § 216(b), hereby appeal to the United States Court of Appeals for the Second Circuit from the Order granting Defendants' motion for partial summary judgment and denying Plaintiffs' motion for partial summary judgment, entered is this action on February 21, 2018. This appeal is from the part thereof granting Defendants' motion for partial summary judgment dismissing the claims of the Department Manager plaintiffs, and denying Plaintiffs' motion for summary judgment as to liability for the Department Manager plaintiffs. Final judgment was entered on May 6, 2019.

Dated: New York, New York June 3, 2019

VIRGINIA & AMBINDER, LLP

By: ____/s

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